

by the people, there had to be a majority of the people voting at the election.

What can happen under this amendment? What can happen under this section 10.03 as you now have it? Three things can happen: The legislature can call it. That brings in a new convention to change the whole document you wrote.

Or the legislature may submit it to the people.

DELEGATE JAMES (presiding): You time has expired.

DELEGATE WEIDEMEYER: Just a minute, Mr. President, if I might.

If at that election only one-tenth of the people voting at the election vote on that issue, if a bare majority votes on the issue, they can call a constitutional convention. Rather than having stability and good government, you are adding instability.

DELEGATE JAMES (presiding): Sorry; we will close the curtain.

Delegate Winslow.

DELEGATE WINSLOW: Mr. President, may I call the attention of the delegates to a situation we seem to have forgotten?

As the section now reads, the General Assembly by law may call a constitutional convention. It has already been pointed out when that language is used the governor has the veto power. It is not merely a majority of the two houses of the General Assembly.

In the second place, when the General Assembly acts by law under another provision of this Constitution, such an action I believe is subject to a referendum, so that if the people of the State do not want a Convention, even though the legislature may say so, they may by referendum procedure put that to a popular vote, and thus thwart the legislature in its efforts to get a Convention, if they so desire.

DELEGATE JAMES (presiding): Is there any further discussion?

Delegate Morgan.

DELEGATE MORGAN: Mr. President, I move the previous question.

*(Whereupon the motion was seconded.)*

DELEGATE JAMES (presiding): All in favor of the previous question, say Aye; opposed, No.

The Ayes seem to have it. The Ayes have it.

The members will record their vote on Amendment No. 8 to Committee Recommendation GP-7, GP-8, GP-9, GP-12, R&P-1, and LB-3 as amended by Style Committee Report S&D-17.

Ring the quorum bell, please.

*(Whereupon a roll call vote was taken.)*

Delegate Boileau.

DELEGATE BOILEAU: No.

DELEGATE JAMES (presiding): You are still without a button?

DELEGATE BOILEAU: Yes, I am, Mr. President.

DELEGATE JAMES (presiding): The Clerk will record the vote.

There being 34 votes in the affirmative and 62 in the negative, the amendment fails for want of a majority. That is 63, including Delegate Boileau. There are 34 in the affirmative. The amendment fails for want of a majority.

Delegate Grumbacher—Delegate Needle, do you care to offer your Amendment B?

DELEGATE NEEDLE: Amendment B, for "beautiful". In the absence of Delegate Grumbacher, I will offer this amendment.

DELEGATE JAMES (presiding): This will be Amendment No. 9.

Do you have copies?

The pages will distribute copies of Amendment B. The clerk will read Amendment B.

READING CLERK: Amendment No. 9 to Committee Recommendations GP-7, GP-8, GP-9, GP-12, R&P-1, and LB-3 as amended by Style Committee Report S&D-17, by Delegates Grumbacher, Needle, Hardwicke, and Sollins:

On page 2, section 10.03, Constitutional Convention in line 23 after the period add the following new sentence: "If a petition, signed by a number of qualified voters of the State equal to ten per cent of the total number of votes cast for Governor in the most recent gubernatorial election, provided that not more than one-fourth of such number shall be voters in any one county, is filed with the office of Governor to refer to the voters the question of calling a constitutional convention, the question shall be submitted to a vote at the next general election."